



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**ELECTRONIC MAIL**  
**CONFIRMATION OF EMAIL RECEIPT REQUESTED**

Mr. Chuck Gesme  
Northwest Management, Inc.  
1417 Orange Avenue  
Helena, Montana 59601  
gesme@northwestmanagement.com

RE: Northwest Management, Inc.  
FIFRA Notice of Warning  
Case File No. FIFRA-04-2021-0808

Dear Mr. Gesme:

The U.S. Environmental Protection Agency has obtained evidence indicating that Northwest Management, Inc. appears to be in violation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). On or around June 17, 2020, FedEx the licensed customs broker for Northwest Management, Inc., incorrectly filed an entry in the U.S. Customs and Border Protection (CBP) Automated Commercial Environment (ACE) system, showing that the product being imported was not a pesticide or pesticide device. The shipment contained 250 bags of the pesticide product BeetleBlock – Verbenone (EPA Reg. No. 73813-2), weight 6.75 grams each, which arrived at the Port Memphis, Tennessee FedEx Hub under entry number 799-76971067.

Upon further review of the copies of the labels provided by FedEx, the product BeetleBlock – Verbenone (EPA Reg. No. 73813-2), appeared to be misbranded in that it was labeled with an invalid version of the EPA Establishment number “73813-CR-1” associated with the manufacturer Chemtica Internacional S.A. (EPA Est. No. 73813-CRI-1).

Pursuant to 40 C.F.R. § 156.10(a)(1)(v) and Section 2(q)(1)(D) of FIFRA, a pesticide is misbranded if its label does not bear the registration number assigned under Section 7 to each establishment in which it was produced.

Pursuant to Section 12(a)(1)(E) of FIFRA, 7 U.S.C. § 136j(a)(1)(E), it shall be unlawful for any person in any State to distribute or sell to any person any pesticide which is misbranded.

Further, the Notice of Arrival of Pesticides and Devices Form 3540-1 (NOA) was not filed, prior to the import of this product. Pursuant to FIFRA 12(a)(2)(N), it is unlawful for failure to file reports required by the Act.

In response to the apparent violation of FIFRA, the EPA is issuing this Notice of Warning (NOW) to Northwest Management, Inc., pursuant to FIFRA Section 9(c)(3), 7 U.S.C. § 136g(c)(3). The EPA has determined at this time that a NOW is the appropriate enforcement response for the company's apparent violation of FIFRA, provided that within 30 days of the receipt of this NOW, an authorized official of Northwest Management, Inc. submit a signed statement indicating that compliance with FIFRA has been achieved and identifying the actions taken to achieve compliance with the requirements set forth above for all future shipments. If this statement is not submitted and/or compliance is not achieved, the EPA may initiate a more formal enforcement action which could include the assessment of a civil penalty. Your statement should be submitted to Kanoelehua Ho at [ho.kanoelehua@epa.gov](mailto:ho.kanoelehua@epa.gov). In the event that the EPA decides to initiate a more formal enforcement action, you will be notified in writing and provided an opportunity to meet with the EPA or conduct a conference call to present any facts, evidence or arguments as to why the EPA should not initiate such action.

Since your company may be classified as a small business, you may want to review the Information Sheet "U.S. EPA Small Business Resources," which can be found on the internet at: [www.epa.gov/compliance/small-business-resources-information-sheet](http://www.epa.gov/compliance/small-business-resources-information-sheet). This document will provide you with information regarding compliance and rights you may be entitled to under the Small Business Regulatory Enforcement Fairness Act.

If you have any questions about this letter, and/or would like to discuss the above-stated findings by the EPA, or would like a copy of the Information Sheet, please contact Kanoelehua Ho of my staff at (404) 562-9162 or by email at [ho.kanoelehua@epa.gov](mailto:ho.kanoelehua@epa.gov).

Sincerely,

Kimberly L. Bingham  
Chief  
Chemical Safety and Land Enforcement Branch

cc: David Cobb; Region 8 ([cobb.david@epa.gov](mailto:cobb.david@epa.gov))  
Kim Davis; Reg West Company, LLC ([Kim@regwest.com](mailto:Kim@regwest.com))